



WV Executive Branch Privacy Tip

As you know, the Privacy Office occasionally issues tips for the purpose of assisting you in making informed decisions in your “away from work” life. The following tip is for that purpose and is reprinted with permission from the Privacy Rights Clearinghouse (www.privacyrights.org).

5 Back to School Privacy Tips for Parents of K-12 Students

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Lately there has been a nationwide push for stronger student privacy rights – and for good reason. Schools, districts, educational technology providers, and various other vendors collect a lot of student data.

Even if your state lawmakers haven’t taken a step to better protect student data, there are federal laws that give students and their parents some rights and control over their personal information. Here are five tips to help you understand and make informed decisions regarding your child’s privacy.

1. Read your annual notification of FERPA rights. If your child attends a public elementary or secondary school, the school must notify you each year of your rights under the [Family Educational Rights and Privacy Act of 1974](#) (FERPA). For example, you have the right to access your child’s education records and request that any inaccurate or misleading information be amended.

Schools are not required to notify parents individually, so you may want to ask school administrators where to find this notice. For example, a notice may be posted on the website or at the school.

2. Ask the school about its directory information policy, and consider opting out. Under FERPA, you have the right to restrict a school from disclosing certain types of your child’s personal information to third parties. This can include many types of information such as name, address, phone number, email address, photograph, and date of birth.

Some schools include information about the opt out in their annual notification of FERPA rights. If you have trouble finding it, ask a school official or send a letter to the school at the beginning of the year requesting opt out.

3. Understand your right to consent to certain surveys your child may be asked to complete. Under the [Protection of Pupil Rights Amendment](#) (PPRA), a school that receives funds from the U.S. Department of Education must obtain written parental consent before a minor student is required to participate in a survey, test or evaluation that obtains information about:

- political affiliations;
- mental and psychological problems potentially embarrassing to the student and family;
- sex behavior and attitudes;
- illegal, anti-social, self-incriminating and demeaning behavior;
- critical appraisals of other individuals with whom respondents have close family relationships;
- legally privileged or similar relationships, such as those of lawyers, physicians, and ministers; or
- income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

4. File a complaint if you believe your rights have been violated. You can learn more about filing a complaint for a FERPA or PPRA violation: <http://familypolicy.ed.gov/complaint-form>

5. Become a student privacy advocate. If you want stronger student privacy rights at the federal or state level– speak up. There are many lawmakers who are actively pursuing stronger laws to protect student information. In fact, your state may already have strong student privacy laws on the books. If you are interested in learning more about state-specific laws and legislation or organizations advocating in this area, [ask us](#) and we will point you to a variety of resources.

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